

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Quadir Brown

Cr.: 01-00114-001
PACTS Number: 29200

Name of Sentencing Judicial Officer: William H. Walls, U.S.D.J.

Date of Original Sentence: 10/24/2001

Original Offense: Possession of Weapon by Convicted Felon

Original Sentence: 84 months imprisonment; 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 03/19/2007

PETITIONING THE COURT

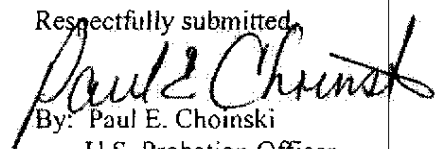
☒ To modify the conditions of supervision as follows:

The defendant shall reside for a period of 6 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

CAUSE

On October 15, 2008, Brown was found to be in possession of marijuana by officers of the Roselle Police Department. On November 4, 2008, Brown physically assaulted his girlfriend, V.B., and was subsequently charged with aggravated assault with serious bodily injury. Additionally, Brown admitted to recent marijuana use, submitted false and fraudulent *Monthly Supervision Reports*, associated with a convicted felon without the permission of the probation office, and was observed by probation officials to be driving a car while his driving privileges were suspended.

Respectfully submitted,


By: Paul E. Choinski

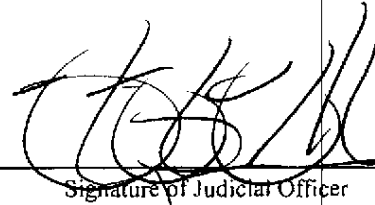
U.S. Probation Officer

Date: 12/04/2008



THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other



Signature of Judicial Officer



Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

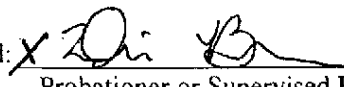
To modify the conditions of supervision as follows:

The defendant shall reside for a period of 6 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

Witness:


U.S. Probation Officer
Paul E. Choinski

Signed:


Probationer or Supervised Releasee
Quadir Brown

11-5-08

DATE

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

December 4, 2008

SUPERVISION UNIT
20 WASHINGTON PLACE
6TH FLOOR
NEWARK, NJ 07102-3172
(973) 645-6161
FAX: (973) 645-2155

www.njp.uscourts.gov

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

The Honorable William H. Walls, U.S.D.J.
Martin Luther King, Jr. Federal Building
& U.S. Courthouse
50 Walnut Street, Room 2564
P.O. Box 999
Newark, N.J. 07102-0999

RE: U.S. v. Quadir Brown
Dkt. No. 01-114001
Notice of Non-Compliance & Request for a
Modification of Supervision Conditions

Dear Judge Walls:

On October 24, 2001, Quadir Brown was sentenced by Your Honor to 84 months imprisonment followed by a three year term of supervised release for the unlawful possession of a weapon. While on supervised release Brown was to abide by the special condition of substance abuse treatment with urinalysis. On March 19, 2007, Brown was released from the custody of the Bureau of Prisons and his period of federal supervision commenced.

The purpose of this letter is to report Brown's non-compliance with the conditions of his supervision and to request a modification of those conditions. Specifically, the offender has engaged in new criminal conduct, admitted to marijuana use, associated with a convicted felon, drove an automobile with a suspended driver's license, and submitted false and fraudulent *Monthly Supervision Reports*.

The foregoing evidence of ongoing non-compliant behavior demonstrates Brown's complete disregard for the conditions of his supervision and the authority of the Court. Given the facts of this case, and taking into consideration the nature of the above violations, it appears that a violation hearing may be warranted. However, we are recommending that an immediate sanction be imposed based on these violations thus avoiding court proceedings. We respectfully recommend that Your Honor approve a sentence modification to include a six month period of community confinement.

As indicated by the enclosed Probation Form 49, *Waiver of Hearing to Modify Conditions of Supervised Release*, Brown has agreed to the modification and has waived his right to a hearing. Therefore, unless Your Honor considers otherwise, we ask that you review the enclosed documents and sign the Probation Form 12B authorizing the modification. If Your Honor requests an alternative course of action, please advise. We will make ourselves available should the Court wish to discuss this matter.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


By: Paul E. Choinski
U.S. Probation Officer



Enclosure(s)